IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

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WRIT PETITION NO : 6599 of 1995

Between:

M/s. Visakha Acide & Chemicals, Plot No. D-11, Autonagar, Visakhapatnam-530 012, Rep. by its Partner Sri D.Venkateswara Rao, Visakhapatnam.

..... PETITIONER

AND

1 The Director of Logistic Support, Naval Head Quarters, Sena Bhavan, New Delhi-110011. R1 dismissed from default vidue court order dt. 27-11-2000.
2 Controller of Defence Acts, (Navy) 1, Cooperage Road, Bombay-400 039.

(Case against R.1 is dismissed for default as per Court Order dt.27.11.2000)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or direction preferably writ of Mandamus declaring the in-action of the Respondents for not paying the Bill amount of R.s. 97,500/- in respect of order dt. 20,00kgs as illegal, arbitrary and violative of the principles of natural justice and consequently direct the respondents to pay the entire amount with interest at the rate of 18% from 1.6.1992 and pass such other and further order.

Counsel for the Petitioner: MR.K.VINAYA KUMAR

Counsel for the Respondent No.2: A. Rajasekhar Reddy

SC for Central Government

The Court made the following :

ORDER:

The writ petition is filed seeking to declare the inaction on the part of respondents for not paying the bill amount of Rs.97,500/- in respect of order dated 20.4.1991 to the petitioner for the supply of Sulphuric acid as illegal and arbitrary and consequently to direct the respondents to pay the entire amount.

As seen from the record, the writ petition as against the first respondent is dismissed by this Court on 27-11-2000. No steps have taken for restoration of the writ petition against the first respondent. At this stage, learned counsel for the petitioner submitted that the petitioner wants to approach the 1st respondent authority to settle the matter.

Recording the submission made by the counsel for petitioner, the writ petition is closed giving liberty to the petitioner to approach the first respondent. No costs.

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N.V. RAMANA, J

Dt 04-10-2004

Kvrk/svv

To

1. The Director of Logistic Support, Naval Head Quarters, Sena Bhavan, . . . New Delhi-110011. R1 dismissed for default vide court order dt.27.11.2000.
2 The Controller of Defence Acts, (Navy) 1, Cooperage Road,Bombay-400039.

3. Two CD copies.

HON'BLE SRI JUSTICE N.V. RAMANA

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04th OCTOBER 2004